

cc. PSA
FIN

CORRESPONDENCE

Anthony Nesbit
Sagecroft
1250 E Arica Rd
Flow, AZ 85231

TO:

The Honorable
Susan Oki Mollway

RECEIVED
CLERK U.S. DISTRICT COURTFEB 04 2008
11:30 AM
DISTRICT OF HAWAII

This letter is in regards to my filing fee overpayments of \$252.00. I have written twice to the Financial Dept at the U.S. District Court in Hawaii with no response, each time I have written them and at their request I have provided proof of payment with what record and receipts I could obtain for payment on CV-03-00455 as well as payment for CV-04-00157. I have done to the best of my ability to demonstrate and prove a overpayment of \$252.00, which for an inmate is a considerable sum.

I've tried to resolve this matter with the Financial Dept with no response concerning the record of proof I have sent them so I am appealing to You and pray for Your assistance in this matter.

I am providing here the record of payment and overpayments of receipts and record. The payment in Question CV-03-00455 is recorded on the first page of receipts (Account Balances & activity sheet) Check # 11743 is the record of payment and Check Number and date sent for filing fee CV-03-00455. all other payments after this are over payments.

FEB 04 2008

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also on that same page is proof of payment for 04-00157 Check No. 12726 and all other payments for this filing fee are overpayments after this.
 Filing fee for CV-03-00455 \$150.00 sent Nov 5, 2003
 Filing fee for CV-04-00157 \$150.00 sent May 21, 2004
 all other payment after these dates are over payments.

Now I've tried to obtain the Actual Copy of the Checks sent for CV-03-00455 and CV-04-00157 and I've written to the Halawa Correctional Facility Business office and they will not respond to my request But I would Bet they would set if they were requested by the Honorable Court, those Check No. are on the Balance & Activity sheet Check No. 11743 for CIV-03-00455 sent Nov 5, 2003.

I have also tried to Obtain a Copy of the \$150.00 Check sent 11/16/2007 for Filing fee payment from Saguaro Correctional Center and they also will not provide a Copy only a receipt which is enclosed herein.

I am sorry to bother You with this and have tried to do this through the Financial Dept at the US Court in Hawaii however they do not respond.

Sincerely

Anthony Nasbit

A0701329

1/26/08

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
300 ALA MOANA BLVD RM C 338
HONOLULU, HAWAII 96850

August 16, 2007

Anthony Nesbit
TCCF E-1
295 Hwy 49 South
Tutwiler MS 38963

Dear Mr. Nesbit:

According to our records, no payment has been made in Cv 03-455. If you have any receipts or proof, please let us know and we will correct the account. Thank you.

Financial Department

INMATE ACCOUNT BALANCES & ACTIVITY From 01-NOV-2002 To 31-DEC-2007

A0701329 NESBIT, ANTHONY

ACCOUNT: Frozen

Transaction Details:

Tran Type	Location	Line#	Date	Spendable	Restricted	Description	Ref No.	Chk No.	Spend Bal	Rest'd Bal
AC	HCF	578371	26-NOV-2002	\$4.50		tfr-glasses			\$4.50	
MP	HCF	588800	13-DEC-2002	-\$4.50		DIR OF FIN/GLASSES		10291	\$0.00	
AC	HCF	758641	24-SEP-2003	\$7.44		TRANS FOR INFORMA			\$7.44	
						PAUPERIS/CIV NO 03-00455-				
						SOM-LEK				
AC	HCF	758643	24-SEP-2003	\$142.56		TRANS FOR INFORMA			\$150.00	
						PAUPERIS/CIV NO 03-00455				
						SOM-LEK				
I	HCF	782660	05-NOV-2003	-\$150.00		APP FILING FEE (CIV NO 03-00455 SOM-KSC)		11743	\$0.00	
AC	HCF	813308	05-JAN-2004	\$4.50		glasses 12/19/03			\$4.50	
MP	HCF	824023	12-JAN-2004	-\$4.50		DOF/GLASSES 12/19/03		12030	\$0.00	
AC	HCF	873776	06-APR-2004	\$150.00		INFORMA PAUPERIS (CIV NO 04-00157 SOM-BMK)			\$150.00	
I	HCF	902925	21-MAY-2004	-\$150.00		FILING FEE/CIV NO 04-00157 SOM-BMK		12726	\$0.00	
AC	HCF	922867	25-JUN-2004	\$38.00		inf. paup fee			\$38.00	
TD	HCF	932020	13-JUL-2004	-\$38.00		CLEAR BALANCE FROM OLD INSTITUTION			\$0.00	
TC	MSTC	932021	13-JUL-2004	\$38.00		RESTORE BALANCE TO NEW INSTITUTION			\$38.00	
AD	MSTC	1258360	27-FEB-2006	-\$38.00		IFF CIV 04-00157 SOM-BMK/PARTIAL FILING FEE		15577	\$0.00	
									\$0.00	

Starting Balance:

Ending Balance:

-No Unit-

Spendable Restricted

Spend Bal Rest'd Bal

ACCOUNT: General

Transaction Details:

Tran Type	Location	Line#	Date	Spendable	Restricted	Description	Ref No.	Chk No.	Spend Bal	Rest'd Bal
M	OSCC	565260	12-NOV-2002	-\$3.00		M1 11/8/02		152135	\$27.16	
PO	OSCC	575039	19-NOV-2002	-\$0.37		11/19/02		152215	\$26.79	
TD	OSCC	578317	26-NOV-2002	-\$26.79		CLEAR BALANCE FROM OLD INSTITUTION		152361	\$0.00	

Starting Balance:

First over payment

Unauthorized access is prohibited by law.

Department of Public Safety - State of Hawaii

		March 4, 2004; certificate of service (bbb) (Entered: 05/07/2004)
05/07/2004	14	defendant June Tavares' ANSWER to complaint [1-1] filed March 4, 2004; certificate of service (bbb) (Entered: 05/10/2004)
05/12/2004	15	defendant Kay Bauman's ANSWER to complaint [1-1] (filed March 4, 2004); demand for jury trial; certificate of service (bbb) (Entered: 05/13/2004)
05/13/2004	16	plaintiff Anthony Nesbit MOTION IN OPPOSITION to defendants motion to dismiss complaint; memorandum in support of motion in opposition of motion to dismiss complaint; declration of Anthony Nesbit; exhibits; attachments part 1 and part 2; certificate of service (cc: PSL and SOM) (bbb) (Entered: 05/13/2004)
05/27/2004		FILING FEE PAID in the amount of \$ 150.00, receipt # 223103 (bbb) (Entered: 05/27/2004)
06/28/2004	17	NOTICE by plaintiff Anthony Nesbit of change of address: Tallahatchie County Correctional Center, P.O. Box 388; HD20A210, Tutwiler, MS 38963 (gs) (Entered: 06/29/2004)
07/13/2004	18	NOTICE by plaintiff Anthony Nesbit of change of address: Tallahatchi C.C.C., P.O. Box 388, Tutwiler, MS 38963 (gs) (Entered: 07/13/2004)
08/09/2004	19	MEMORANDUM by plaintiff Anthony Nesbit in support of complaint [1-1]; certificate of service (sealed) (Entered: 08/09/2004)
08/23/2004	20	DECLARATION of plaintiff Anthony Nesbit (bbb) (Entered: 08/26/2004)
08/23/2004	21	Defendant Kay Bauman's INITIAL DISCLOSURES; certificate of service (bbb) (Entered: 08/26/2004)
08/23/2004	22	defendant Kay Bauman's SCHEDULING CONFERENCE STATEMENT; certificate of service (bbb) (Entered: 08/26/2004)
08/23/2004	23	Defendants HCF Dental Department, John F. Peyton, Frank Lopez, Wesley Mun, June Tavares, Deborah Stampfle, Public Safety Department and James L. Propotnick's SCHEDULING (Settlement) CONFERENCE STATEMENT; certificate of service (bbb) (Entered: 08/26/2004)
08/24/2004		Docket Modification (Utility Event) re [24-3] ; Motion filing ddl set for 4/25/05 before Mag Judge Barry M. Kurren (bbb) (Entered: 01/07/2005)
08/24/2004	24	EO: 1. Jury trial on August 23, 2005 at 9:00 a.m. before SOM 2. Final Pretrial Conference on July 21, 2005 at 9:00 a.m. before BMK 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by July 14, 2005 5. File motions to Join/Add Parties/Amend Pleadings by February 15, 2005 6. File All Other Motions by April 25, 2005 8. Plaintiff's Non-Expert Witness Disclosures by December 14, 2004 9. Defendant's Non-Expert Witness Disclosure by December 21, 2004 11. Expert Witness Disclosure: a. Plaintiff(s): April 5, 2005 b. Defendant(s): May 3, 2005 12. Discovery Deadline by June 28, 2005 13. Settlement

Receipt for Payment
U.S. District Court - Hawaii

For Internal Use Only

Receipt	234070
Trans	138517

Received From: ANTHONY NESBIT

Case Number:

Reference Number: CV 04-157

Check 38.00

 Total 38.00

Description	Fund	Qty	Amount
CV PRISONER FILING	5100PL	1	38.00
Total			38.00
Tend			38.00
Due			0.00

*over payment
for CV 04-157*

03/02/2006 12:14:32 PM

Deputy Clerk: jp/AG

[Signature]

Posted.

Court Copy

Receipt for Payment
U.S. District Court - Hawaii

For Internal Use Only

Receipt	239779
Trans	145985

Received From: **ANTHONY NESBIT**

Case Number:

Reference Number: **CV 04-157**

Check **34.10**

Total **34.10**

<u>Description</u>	<u>Fund</u>	<u>Qty</u>	<u>Amount</u>
CV PRISONER FILING	5100PL	1	34.10
Total			34.10
Tend			34.10
Due			0.00

*over payment for
04-157*

06/08/2007 12:57:15 PM

Deputy Clerk: lg/VC

[Signature]

Tallahatchie County Correctional Facility

Date: 07/11/2007
Time: 09:28
Receipt#: 5304119
Officer Printing Receipt: MMCCOL

Name: NESBIT, ANTHONY
Booking#: 223090
PCP#: 213598
Agency ID/CID: A0701329

Section: E
Block: 02
Cell: 211
Bed: B

Date/Time	Code	Amount
Description	Type	Check
07/11/2007 09:27	Withdrawal	-30.29
UNITED STATES DISTRICT COURT		
OT		
DLN#: CIV# 04-00157 SIN BMK		

Total All Transactions -30.29
Beginning Balance: 151.41
Ending Balance: 121.12

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Inmate Signature Line

=====

Officer Signature Line

overpayment
CIV-04-00157

IN FORMA PAUPERIS APPLICATION FILING FEE

Nesbit, Anthony _____
 Percent: 20%

Name: (Last/First/M. I.): _____

Civil: 04-00157 SIN-BMK _____

Total: \$ 150.00 _____

SID: A0701329 _____

Partial \$ 38.00 _____

Date	Check #	Spendable	Restricted	Total	Balance	Comments
02/27/06	15577	\$ 38.00		\$ 38.00	\$ 112.00	Transferred MSTC
06/23/06		\$ 34.10		\$ 34.10	\$ 77.90	
06/01/07	6733	\$ 30.29		\$ 30.29	\$ 47.61	
07/11/07	6757					

SAGUARO CORRECTIONAL CENTER

ACCOUNT STATEMENT from 11/9/2007 to 12/7/2007

NESBIT, ANTHONY**Account 1:****\$ 92.28**

Agency #: A0701329

Escrow Account:

\$ 10.93

CCA #: 213598

Cost Recovery Owed:

\$ 0.00

HOUSING

Current Balance Information

LOCATION: J/B/16/U

Account 1 Transactions

Transaction Date	From	Transaction Code	Amount	Balance	Note
BALANCE AT BEGINNING OF DATE RANGE -				1.28	
11/09/2007	WACHOVIA INTERFACE - AUTO ENTE	WI Deposit	75.00	76.28	ROBERT NISBET
11/13/2007	COMMISSARY PURCHASE	CO Withdrawal	-20.94	55.34	COMMISSARY SUMMARY POSTING
11/14/2007	WACHOVIA INTERFACE - AUTO ENTE	WI Deposit	150.00	205.34	DAVID NISBET
11/16/2007	SEND MONIES OUT	MO Withdrawal	-150.00	55.34	The Clerk of The Court
11/18/2007	COMMISSARY PURCHASE	CO Withdrawal	-6.42	48.92	COMMISSARY SUMMARY POSTING
11/26/2007	COMMISSARY PURCHASE	CO Withdrawal	-5.39	43.53	COMMISSARY SUMMARY POSTING
12/03/2007	COMMISSARY PURCHASE	CO Withdrawal	-26.25	17.28	COMMISSARY SUMMARY POSTING
12/07/2007	WACHOVIA INTERFACE - AUTO ENTE	WI Deposit	75.00	92.28	ROBERT NISBET
SUMMARY OF TRANSACTIONS			91.00		
				92.28	Ending Balance

over payment for →
CIV No. 03-00455

Anthony Nesbit
Saguaro
1250 E Arica Rd
Eloy, AZ 85231

Date:01/04/2008

Time:13:49

Receipt#:6529168

NESBIT ,ANTHONY

Booking#:1038723

PCP#:213598

Agency ID/CID:A0701329

Section:J

Block:B

Cell:16

Bed:U

Date/Time	Code	Amount
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Description	Type	Check
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11/16/2007 10:57 Withdrawal		-150.00
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The Clerk of The Court

MO 905000158

DLN#:

Balance Before Transaction: 205.34

Ending Balance: 55.34

over
payment
for
CIV. NO 03-00455

=====
Inmate Signature Line=====
Officer Signature Line